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By Frankel Vieira

8/18/04

~~5/13/97~~

CGNE-101-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)
Metz, J., et al.) Examiner: not assigned
Serial No. 08/657,749) Art Unit: not assigned
Filed: May 30, 1996) SUBSTITUTE SEQUENCE LISTING,
For: NUCLEIC ACID SEQUENCES) COMPUTER READABLE FORM
ENCODING A PLANT) AND VERIFIED STATEMENT
CYTOPLASMIC PROTEIN) UNDER 37 CFR 1.825
INVOLVED IN FATTY ACYL-COA)
METABOLISM)

Commissioner of Patents
and Trademarks
Washington, DC 20231

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Dear Sir:

In response to the Communication from the Examiner and
Notice to Comply with Requirements For Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence
Disclosures mailed on November 12, 1996, provided herein are
a substitute formatted Sequence Listing and a substitute copy
of the Sequence listing on computer readable form as required
by 37 CFR 1.821 through 1.825.

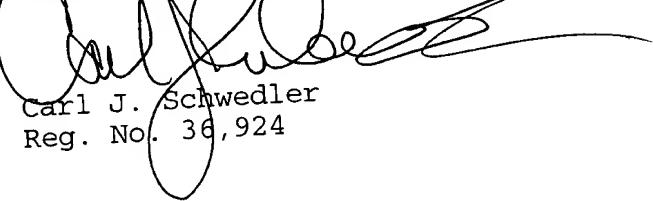
The copy in computer readable form is the same as the
paper copy of the Substitute Sequence Listing (§ 1.825(b)).

A conditional petition for an Extension of Time is
requested to provide for the timely filing if an extension of

time is required after all papers filed with this transmittal have been considered.

The Commissioner is further authorized to charge any amount relating to the attached communications including any necessary fees for an extension of time, or credit any overpayment to Deposit Account No. 03-0173.

Respectfully submitted,



Carl J. Schwedler
Reg. No. 36,924

CALGENE, INC.
1920 Fifth Street
Davis, CA 95616
(916) 753-6313

enclosure: Sequence Listing, Computer Readable Form



Application No. 08-657749

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: _____

Applicant Must Provide:

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

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